



COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, JUNE 10, 2003

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: May 27, 2003

CONSENT CALENDAR:

1. **EXTENSION OF TIME (UP-02-03), EOT-03-07: TENNANT-SAFEWAY:** A request for a one-year extension of the conditional use permit approval granted for a 12-pump fuel center to be the located on the south east quadrant of the intersection of Monterey Rd. and Tennant Ave. within the Tennant Station shopping center. (APN 817-06-040)

Recommendation: Adopt Resolution No. 03-39, approving request.

2. **EXTENTION OF TIME (UP-01-02), EOT-03-08: KEYSTONE-MARTIN:** A request for an extension of time on a conditional use permit for a mixed use located at 20 Keystone Ave in the CC-R, Central Commercial Residential zoning district. (APN 764-16-017)

Recommendation: Adopt Resolution No. 03-40, approving request.

OLD BUSINESS:

3. **SUBDIVISION, SD-03-02/DEVELOPMENT AGREEMENT, DA-03-03: HALE-GARCIA:** A request for approval of a 12-lot subdivision located within the Capriano project located on the west side of Monterey Rd., east of Hale and south of Tilton Ave. Also requested is the approval of a development agreement for the phase V of the Capriano project. (Portion of APN 764-09-031)

Recommendation: Continue subdivision and development agreement requests to July 8, Meeting.

NEW BUSINESS:

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4. **GENERAL PLAN AMENDMENT, GPA-02-08/ZONING AMENDMENT, ZA-02-20: MONTEREY-PINN BROTHERS:** A request to change the General Plan Land Use designation on the two westernmost parcels of the project site (APNs 767-23-025, 002), consisting of 6.23 acres, from Multi-Family Medium to Multi-Family Low, and change the zoning designation from R3 to R2 Medium-Density Residential to maintain consistency with the proposed General Plan Land Use designation. The Commercial General Plan and zoning designations are proposed to remain the same for the easternmost parcel (APN 767-23-001), consisting of 3.45 acres. The project site consists of three contiguous parcels totaling 9.68 acres located on the west side of Monterey Rd., north of Watsonville Rd. and south of West Edmundson Ave. (APNs 767-23-001, 002 & 025)

Recommendation: Open Public Hearing/Table Zoning Amendment request; and Adopt Resolution No. 03-41 (general plan amendment), with recommendation to forward to City Council for approval.

5. **GENERAL PLAN AMENDMENT, GPA-01-05/ZONING AMENDMENT, ZA-01-11/ ANNEXATION, ANX-01-04: CLAYTON-MERLANO:** A request to change the Land Use designation on a 4.44 acre portion of a 5.19 acre parcel from Rural County to Single Family Low Density Residential. Also requested is annexation to the City and a zone change from County A-20, Agricultural to City R-1 (20,000) on the 4.44 acres. The property is located on the easterly side of Clayton Ave., south of Peebles Ave. (APN 726-37-006 and 726-36-045)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 03-43 (general plan amendment), 03-44 (zoning amendment), and 03-45 (annexation), with recommendation to forward to City Council for approval.

6. **GENERAL PLAN AMENDMENT, GPA-03-01/ URBAN GROWTH BOUNDARY/SPHERE OF INFLUENCE, SOI-03-04/URBAN SERVICE AREA, USA-03-04/ZONING AMENDMENT, ZA-03-05/ANNEXATION, ANX-03-03: MALAGUERRA-CITY OF MORGAN HILL WATER TANK:** A request to amend the Sphere of Influence, Urban Growth Boundary and Urban Service Area boundary to include three parcels totaling 2.59 acres located on the northerly boundary of the Boy Ranch facility on the north side of Malaguerra Ave. A General Plan land use designation of Open Space and zoning designation of Open Space is proposed for the parcels. Annexation of the parcels is also being requested. (APNs 728-35-03, 04 & 05)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 03-46 (general plan amendment), 03-47 (sphere of influence), 03-48 (urban service area), 03-49 (zoning amendment) and 03-50 (annexation), with recommendation to forward to City Council for approval.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 17, 2003 SPECIAL MEETING:

- AP-03-01: E. Dunne-Dempsey
- AP-03-02: Barrett-Odisho
- AP-03-03: W. Edmundson-Pinn Brothers

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.